

## REMARKS

### Claim Rejections - 35 U.S.C. § 103

Claims 1-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,309,563 issued to Farrand, et al. (*Farrand*) and in view of U.S. Patent No. 6,065,053 issued to Nouri, et al. (*Nouri*). Claims 4 and 8-16 have been canceled. Therefore, the rejection of these claims is moot. For at least the reasons set forth below, Applicant submits that claims 1-3 and 5-7 are not rendered obvious by *Farrand* in view of *Nouri*.

Claim 1 recites, in part, the following:

detecting an alert event on a client device;  
forming a platform-independent alert packet representing the alert event;  
transmitting the alert packet to an alert proxy external to the client device;  
**receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet**, the data control packet comprising one or more specified control operations to be performed on the client device;

Thus, Applicant claims a method comprising receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet.

The Office cites *Farrand* as teaching the limitations of claim 1 except that *Farrand* does not teach or disclose determining whether execution of received control operations are performed based on the operating state of the client device. Applicant agrees with the Office action that *Farrand* does not disclose determining whether execution of received control operations are performed based on the operating state of the client device. Applicant submits that *Farrand* further fails to disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet as claimed. The cited portion of *Farrand* discusses alert determination and generation based on passively monitored information. See column 7, lines 56-60. *Farrand* also discusses “logging” received information into RAM

memory for later access. See column 7, lines 60-63. However, nothing cited in *Farrand* teaches or discloses receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Thus, Applicant respectfully submits that *Farrand* fails to disclose at least one limitation recited in claim 1.

*Nouri* discusses a system to enable an administrator to control certain functions of the server from a remote station. See column 3, lines 45-53. The Office action cites *Nouri* as disclosing a micro controller network “fly by wire” capability to reset the system. Whether or not *Nouri* discloses the limitations cited in the Office action, *Nouri* does not teach or disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Thus, *Nouri* fails to cure the deficiencies of *Farrand*. Therefore, Applicant respectfully submits claim 1 is not obvious in view of *Farrand* and further in view of *Nouri*.

Claims 2-3 and 5-7 depend from claim 1. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 2-3 and 5-7 are not rendered obvious by *Farrand* and *Nouri* for at least the reasons set forth above.

#### New Claims

Claims 27-32 have been added. Independent claim 27 recites an apparatus comprising a network controller to transmit the alert packet to an alert proxy that is external to the apparatus and to automatically receive a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. As discussed above, *Farrand* and *Nouri* fail to disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet as recited in claim 1. Given that claim 27 recites a similar limitation, Applicant respectfully submits that claim 27 is also not obvious in view of *Farrand* and further in view of *Nouri*.

Claims 28-32 depend from claim 27. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claims 28-32 are not obvious in view of *Farrand* and further in view of *Nouri* for at least the reasons set forth above.

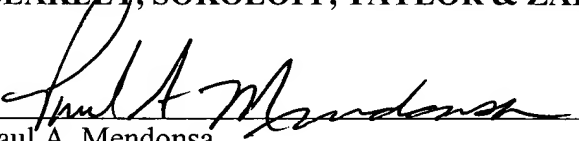
Conclusion

In view of the amendments and remarks set forth above, Applicants submit that claims 1-16 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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Date: Sept 9, 2005

  
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